IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 33008 of 2006(D)

PETITIONER:

SABIRA BEEVI.A,
W/O.SHAREEF KHAN, ARUVIKKARA VEEDU,
CHELIKKUZHY P.O., PATTAZHI NORTH, KOLLAM DIST.

BY ADV. SRI.S.ABDUL RAZZAK

RESPONDENTS:

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1. THE KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY, P.S.C. OFFICE,
PATTOM PALACE P.O., THIRUVANANTHAPURAM.

2. THE DIRECTRO OF HIGHER SECONDARY
EDUCATION, NANDAVANAM P.O.,
THIRUVANANTHAPURAM- 695 033.

3. GOVERNMENT OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
HIGHER SECONDARY EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

4. N.R.MEENAKSHIKUTTY,
(H.S.S.TEACHER, G.H.S.S., MANGALPADY, KASARGODE),
PATHATH HOUSE, MUTTUNGAL, PERINTHALMANNA P.O.,
679 322, MALAPPURAM DIST.

5. NASEERA.T.,
H.S.S.TEACHER, G.H.S.S., KUTTIPURAM,
MALAPPURAM DIST.

BY ADV. SMT.T.N.GIRIJA
SRI.S.SUJIN
GOVERNMENT PLEADER SMT.M.R.SREELATHA.
SRI.P.C.SASIDHARAN - SC FOR KPSC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/7/2007, THE COURT ON 18/12/2007 DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1: PHOTOCOPY OF PSC MEMO DT. 21/2/2006.

EXT.P2: PHOTOCOPY OF RANKED LIST EFFECTIVE FROM 25/10/2006.

EXT.P3: PHOTOCOPY OF EARLIER RANKED LIST EFFECTIVE FROM 16/6/2004.

EXT.P4: PHOTOCOPY OF ADVICE LIST.

EXT.P5: PHOTOCOPY OF PETITIONER'S REPRESENTATION DT. 4/12/2006 TO R1.

EXT.P6: DO. DT. 4/12/2006 TO R2.

EXT.P7: PHOTOCOPY OF ADVICE MEMO DT. 19/8/2006.

EXT.P8: PHOTOCOPY OF APPOINTMENT ORDER DT. 7/11/2006.

RESPONDENTS' EXHIBITS:

ANNEXURE R2(A) TO R2(C): COPY OF APPOINTMENT ORDERS.

ANNEXURE R2(D): TRUE COPY OF ADVICE MEMO ISUSED BY THE PSC.

EXT.R4(A): TRUE COPY OF ADVICE MEMO DT. 19/8/2006.

EXT.R4(B): TRUE COPY OF PROCEEDINGS DT. 7/11/2006.

EXT.R1(A): TRUE COPY OF LETTER ADDRESSED BY THE DIRECTOR OF HIGHER SECONDARY EDUCATION TO SECRETARY K.P.S.C. DT.16/1/2007.

K. M. JOSEPH, J.

W.P.C. NO. 33008 OF 2006 D

Dated this the 31st January, 2007

ORDER

Learned Government Pleader made a submission before this Court that the NJD vacancy has been reported on 16.1.2007. In the Counter Affidavit filed on behalf of the PSC, it is stated that the PSC has not received intimation about the vacancy from the Government. In such circumstances, the second respondent Director shall place on record, on or before 9.2.2007, an Affidavit as to whether the vacancy has been reported and if it is not reported, as to why it is not being reported.

Post on 9.2.2007 along with W.P.(C) No.32046/06.

H/O. to both sides.

K. M. JOSEPH, JUDGE

kbk.